

REMARKS

The Office Action dated March 21, 2006 has been received and carefully reviewed. The preceding amendments and the following remarks form a full and complete response thereto. Claims 1-5 have been cancelled without prejudice or disclaimer. New claims 6-17 are added. The new claims are supported by the specification and figures, and no new matter is added. Accordingly, claims 6-17 are pending in the application and submitted for consideration.

The specification has been amended to correct the CROSS REFERENCE TO RELATED APPLICATION section.

An Abstract was required pursuant to 37 CFR § 1.72(b). A new Abstract is added by this Amendment. Accordingly, the Applicants submit that the requirement is satisfied.

- Claims 1-5 were rejected under 35 U.S.C. §112 as being indefinite.
- Claims 1, 2, and 5 were rejected under 35 U.S.C. §102(a) as being anticipated by the German patent reference DE 101 02 818 to Lohmann;
- Claims 1, 3, and 5 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No.5,046,618 to Wood;
- Claims 1, 3, and 5 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,785,180 to Dressel et al. ("Dressel");
- Claim 2 was rejected under 35 U.S.C. §103 as being unpatentable for allegedly being obviousness over Dressel; and

- Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable for allegedly being obvious over Dressel in view of U.S. Patent No. 6,155,423 to Katzner et al. ("Katzner").

Claims 1-5 have been cancelled and replaced with new claims 6-17.

Accordingly, all rejections are moot. Applicants submit that new claims 6-17 comply with the requirements of 35 U.S.C. § 112 and are patentable over the cited prior art.

Claim 6, upon which claims 7-11 depend, defines a packaging apparatus. The packaging includes a tray and a sheet. The tray includes a series of spaced apart sections, each being generally rectangular in shape and having a recessed compartment and an upper surface. The sheet is fixed in part to the upper surface of the tray and includes a plurality of tab portions that are not fixed to the tray thereby creating a tab. Each tab portion corresponds to one of the spaced apart sections and includes first and second ends. Each tab portion is graduated in width from the first end to the second end. The first end of each tab portion is positioned in a corner of the corresponding spaced apart section. The tab portion has a length parallel to a length of the corresponding spaced apart section. The second end is adjacent to the sealed portion of the sheet.

Claim 12, upon which claims 13-17 depend, also defines a packaging apparatus. The packaging includes a tray and a sheet. The tray includes a series of spaced apart sections. Each spaced apart section is generally rectangular in shape and has a recessed compartment and an upper surface. The sheet is fixed in part to

the upper surface of the tray and has a plurality of tab portions that are not fixed to the tray thereby creating a tab. Each tab portion corresponds to one of the spaced apart sections and includes first and second ends. Each said tab portion is graduated in width from the first end to the second end. Each second end has a width measured in a direction orthogonal to the length of the tab portion that is greater than or equal to one half a width of the corresponding spaced apart section.

None of the cited prior art discloses or suggests the novel configuration claims in claims 6-17 of the present invention. Accordingly, Applicants request that the rejections be withdrawn and claims 6-17 be allowed.


In view of the above, all objections and rejections have been sufficiently addressed. Applicants submit that the application is now in condition for allowance and requests that it be allowed and this application passed to issue.

In the event that this paper is not timely filled, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

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Date

  
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